

## **DECLARATION FOR PATENT APPLICATION & POWER OF ATTORNEY**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter that is claimed and for which a patent is sought on the invention entitled:

### **Managing Network Data Transfers in a Virtual Computer System**

the specification of which (check one)

XX is attached hereto.

— was filed on \_\_\_\_\_ as U.S. Application Serial No.  
and was amended on

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims and the drawings and as amended by any amendment referred to above. I further acknowledge the duty to disclose all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations 1.56.

### **FOREIGN APPLICATION AND/OR CLAIM FOR FOREIGN PRIORITY**

I hereby claim foreign priority benefits under Title 35, United States Codes 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

N/A  
(Number)                   (Country)                   (Date filed)                   Priority claimed? (Yes/No)

### **U.S. PRIORITY CLAIM**

I hereby claim the benefits under Title 35, United States Code 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations 1.56(a) which occurred between ins filing date of the prior application and the national or PCT international filing date of this application:

N/A  
(Application Serial No.)   (Filing date)   (Status - patented, pending, abandoned)

Power of Attorney: As a named inventor, I appoint the following attorneys to prosecute this application and transact all business connected with it in the U.S. Patent and Trademark Office:

Jeffrey Pearce, Reg. No. 34,729  
Darryl Smith, Reg. No. 37,723

Send correspondence and direct telephone calls to:

Darryl Smith  
3145 Porter Drive  
Palo Alto, CA 94304  
Phone: (650) 475-5157  
Fax: (650) 475-5005

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Full name of 1st inventor: Hao XU  
Inventor's signature: Zerua  
Date: 9/19/2003  
Residence: Sunnyvale, California  
Post Office Address: 555 E. Washington Ave., Apt. 611  
Citizenship: Sunnyvale, CA 94086  
China

Full name of 2nd inventor: Daniel J. SCALES  
Inventor's signature: Daniel J. Scales  
Date: 9/19/03  
Residence: Mountain View, California  
Post Office Address: 1361 Ormonde Way, Mountain View, CA 94043  
Citizenship: United States